Appl. No.: 10/798,058

Amdt. dated September 26, 2006

Reply to Office Action of August 9, 2006

Amendments to the Claims:

- 1. (Currently amended) An isolated nucleic acid molecule having a nucleotide sequence selected from the group consisting of:
 - a) the nucleotide sequence set forth in SEQ ID NO:1;
- b) a nucleotide sequence encoding the amino acid sequence set forth in SEQ ID NO:2;
- c) a nucleotide sequence having at least about 90 % sequence identity across the full length of the to the nucleotide sequence set forth in SEQ ID NO:1, wherein said nucleotide sequence having at least about 90% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1 encodes a polypeptide having <u>Bacillus thuringiensis (Bt)</u> toxin binding activity;
- d) a nucleotide sequence having at least about 95 % sequence identity across the full length of the to the nucleotide sequence set forth in SEQ ID NO:1, wherein said nucleotide sequence having at least about 95% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1 encodes a polypeptide having *Bt* toxin binding activity;
- e) a nucleotide sequence that hybridizes to the complement of the nucleotide sequence set forth in SEQ ID NO:1 under stringent conditions, wherein said nucleotide sequence that hybridizes to the complement of the nucleotide sequence set forth in SEQ ID NO:1 under stringent conditions encodes a polypeptide having *Bt* toxin binding activity;
- fe) the nucleotide sequence of the cDNA insert of the plasmid deposited with the ATCC as Patent Deposit No. PTA-4935; and
- a nucleotide sequence complementary <u>across the full length of to-at least</u> one nucleotide sequence set forth in a), b), c), d), <u>or e), and f)</u>.
- 2. (Original) The nucleic acid molecule of claim 1, wherein said nucleic acid molecule comprises a nucleotide sequence encoding a polypeptide having Cry1A toxin binding activity.

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3. (Original) The nucleic acid molecule of claim 2, wherein said nucleic acid molecule comprises a nucleotide sequence encoding a polypeptide having Cry1A(b) toxin binding activity.

4-8. (Canceled)

- 9. (Original) An expression cassette comprising at least one nucleotide sequence according to claim 1, wherein said nucleotide sequence is operably linked to a promoter that drives expression in a cell of interest.
- 10. (Original) The expression cassette of claim 9, wherein said cell of interest is selected from the group consisting of insect cells and mammalian cells.
- 11. (Original) The expression cassette of claim 9, wherein said cell of interest is a microorganism.
- 12. (Original) The expression cassette of claim 11 wherein said microorganism is selected from the group consisting of yeast and bacteria.
- 13. (Currently amended) A transformed cell of interest having stably incorporated within its genome a nucleotide sequence selected from the group consisting of:
 - a) the nucleotide sequence set forth in SEQ ID NO:1;
- b) a nucleotide sequence encoding the amino acid sequence set forth in SEQ ID NO:2;
- c) a nucleotide sequence having at least about 90 % sequence identity across the full length of the to the nucleotide sequence set forth in SEQ ID NO:1, wherein said nucleotide sequence having at least about 90% sequence identity to the nucleotide sequence set forth in SEQ ID NO:1 encodes a polypeptide having *Bt* toxin binding activity;

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- d) a nucleotide sequence having at least about 95 % sequence identity across the full length of the to the nucleotide sequence set forth in SEQ ID NO:1, wherein said nucleotide sequence having at least about 95% sequence identity to the nucleotide sequence set forth in SEO ID NO:1 encodes a polypeptide having *Bt* toxin binding activity;
- e) a nucleotide sequence that hybridizes to the complement of the nucleotide sequence set forth in SEQ ID NO:1 under stringent conditions, wherein said nucleotide sequence that hybridizes to the complement of the nucleotide sequence set forth in SEQ ID NO:1 under stringent conditions encodes a polypeptide having *Bt* toxin binding activity;
- fe) the nucleotide sequence of the cDNA insert of the plasmid deposited with the ATCC as Patent Deposit No PTA-4935; and
- $g\underline{f}$) a nucleotide sequence complementary <u>across the full length of to at least</u> one nucleotide sequence set forth in a), b), c), d), $\underline{or}e$), \underline{f} , $\underline{or}g$).
 - 14. (Original) The transformed cell of claim 13, wherein said cell is a plant cell.
- 15. (Original) The transformed cell of claim 14, wherein said plant cell is monocotyledonous.

16-20. (Canceled)